

BEFORE THE
OFFICE OF ADMINISTRATIVE HEARINGS
STATE OF CALIFORNIA

In the Matter of:

PARENT ON BEHALF OF STUDENT,

v.

TRINITY COUNTY OFFICE OF
EDUCATION AND SOUTHERN TRINITY
JOINT UNIFIED SCHOOL DISTRICT.

OAH Case No. 2016030984

ORDER GRANTING PEREMPTORY
CHALLENGE

On April 29, 2016, Trinity County Office of Education and Southern Trinity Joint Unified School District filed a motion seeking to challenge the assignment of Administrative Law Judge Charles Marson in the above captioned matter. The respondents' peremptory challenge is made pursuant to Government Code section 11425.40, subdivision (d), of the Administrative Procedures Act, and California Code of Regulations, title 1, section 1034.

Government Code section 11425.40, subdivision (d), establishes the criteria for disqualification of the presiding officer. A party is entitled to one peremptory challenge (disqualification without cause) to an ALJ assigned to an Office of Administrative Hearings hearing. (Cal. Code Regs., tit. 1, § 1034, subds. (a) & (b); Gov. Code, § 11425.40, subd. (d).) The peremptory challenge is timely made and is granted pursuant to Government section 11425.40, subdivisions (a) and (d), and California Code of Regulations, title 1, section 1034, subdivision (c). The matter is reassigned to ALJ Dena Coggins.

IT IS SO ORDERED.

DATE: April 29, 2016

DocuSigned by:

88BDF3720DB941A...

MARGARET BROUSSARD
Presiding Administrative Law Judge
Office of Administrative Hearings